

Supervisors Meeting – August 10, 2021

The Regular Meeting of the Sugarloaf Township Supervisors was held on Tuesday, August 10, 2021, at 7:00 P.M. at the Municipal Building, 858 Main Street, Sugarloaf, PA 18249. The meeting was duly advertised in the Standard Speaker on December 15, 2020.

Attendance: In attendance were Chairman Rick Weaver, Supervisor Richard Yost, and Supervisor Joseph DiSabella. Also in attendance were Atty. Casey Gillespie, Zoning Officer Henry Mleczynski and Township Office Manager Elizabeth Tolan.

Pledge of Allegiance

There was no public comment on the Agenda.

Executive Work Session: An Executive Work Session was held on August 2, 2021 for personnel reasons.

Minutes Special Meeting: Chairman Weaver asked if there were any additions or corrections to the Minutes of the Special Meeting held on July 23, 2021 for the purpose of setting a new date for the Public Hearing for the Order of Friars Minor of the Slavo-Byzantine Rite to Sugarloaf LLC Rezone Request and for General Business. A motion was made by Supervisor Yost, seconded by Supervisor DiSabella to approve the minutes of the Special Meeting as presented. The motion passed unanimously.

Minutes: Chairman Weaver asked if there were any additions or corrections to the Minutes of the Regular Meeting held on July 13, 2021. A motion was made by Supervisor DiSabella, seconded by Supervisor Yost, to approve the minutes of the Regular Meeting as presented. The motion passed unanimously and copies were placed on the front table for public review.

Bills: Supervisor Yost read the Income and Expense Report of the General Fund from July 2021. A motion was made by Chairman Weaver, seconded by Supervisor DiSabella, to approve the bills as read, and to pay any and all bills in all funds that become due before the next regular meeting. The motion passed unanimously and copies were placed on the front table for public review.

Financial Statement: Chairman Weaver mentioned that the financial statement is attached to all agendas. A motion was made by Chairman Weaver, seconded by Supervisor Yost, to dispense reading and approve the financial statement as presented. The motion passed unanimously. Supervisor Yost signed the Financial Statement.

Police Department: Chairman Weaver reviewed the police activity report for July 2021. There were 271 calls. Magistrate fines collected for July 2021 amounted to \$2,713.85. Pennsylvania Highway Safety Enforcement Program Reimbursement in the amount of \$800.00 was received for the Police Departments' participation in the Buckle Up PA Program. The township received notification that our 2020 LSA Grant request for the Sugarloaf Police Station was denied at the July 20, 2021 CFA Board Meeting, however, our earlier application for Phase II of the Police Station Project was approved in the amount of \$200,000.00. As requested by the CFA we have submitted a revised budget to reflect current costs for this phase of the project on August 2, 2021.

Fire Company: Fire Chief Duane Hildebrand was not able to be present. Chairman Weaver reported that there were 89 calls for the month of July 2021.

A request has been put forward by Patrick Genetti, President of the Sugarloaf Fire Company to apply for an LSA Grant in the amount of approximately \$650,000.00 for a new Pumper Truck. A motion was made by Supervisor DiSabella, seconded by Supervisor Yost, to approve the Fire Company request to apply for an LSA Grant in the amount of \$650,000.00 for a new Pumper Truck. The motion passed unanimously.

Chairman Weaver noted that there is a Fire Company Fall Chicken BBQ fundraiser being held at the Fire Company on Sunday, September 12, 2021, 11:00 am – 2:00 pm and that tickets are available at the Township Municipal Office at the price of \$10.00 per person.

Road Department: The Road Department Report for July 2021 was reviewed by Chairman Weaver. The Road Department Report was then placed on the front table for public review.

The Road Department is in need of a replacement truck with plow. Discussion was held in regards to why the new truck is needed and to determine a budget cap for the vehicle. A motion was made by Supervisor Yost, seconded by Supervisor DiSabella to approve a budget cap of \$100,000.00 for the purchase of a new or used vehicle. It was noted that if the vehicle is purchased through a Costars approved vendor, that bids will not be necessary.

The Township received a Grant payment for the Welsh Road Project in the amount of \$51,198.75. A motion was made by Supervisor DiSabella, seconded by Chairman Weaver, to put the project out to bid to determine which portion of the project can be completed with the funds awarded. The motion passed unanimously.

A motion was made by Supervisor Yost, seconded by Supervisor DiSabella, to pay for the tree removal for the Welsh Road Project at a cost of \$11,400.00 out of the General Fund. The motion passed unanimously.

A Pipe is in need of replacement at the Pilot Old Berwick Road Entrance to SR93. It has been determined that the work will fall below the formal bid threshold and as such we have contacted three vendors for phone quotes. A motion was made by Supervisor Yost, seconded by Supervisor DiSabella, to proceed with this project to be awarded to the lowest qualified bidder. The motion passed unanimously.

Zoning Report: Zoning Officer Henry Mleczynski stated that eight (8) permits were issued in July 2021. There was one (1) denied. Additionally there were three (3) complaints handled, one regarding dumping, and two regarding Chickens.

It was reported that the Zoning Hearing Board meeting regarding the Appeal Application of Northeast Pennsylvania SMSA Limited Partnership d/b/a Verizon Wireless which was scheduled for July 26, 2021 for testimony with the decision scheduled for July 27, 2021 has been rescheduled for August 23, 2021. The applicant, Verizon, requested a continuance, because its representative/witness was unable to attend on July 26, 2021. They stipulated that they would waive any local, state or FCC deadline that could result in the application being deemed admitted because of a delay in a hearing. Opposing counsel did not lodge an objection to the request for continuance. Therefore the Board granted the continuance. The board will have time to hold the hearing on August 23, 2021 and make a decision at a later date.

Chairman Weaver placed the Zoning Log for July 2021 on the front table for public review.

Emergency Management: Thomas Mundie, Emergency Management Coordinator was not in attendance. No report was given.

Sugarloaf Recreation Board (Larock Field): The Recreation Committee met on August 4, 2021 at 7:00 p.m. The minutes from the August 4, 2021 were put on the front table for review.

The Recreation Committee requested consideration from the Supervisors for the purchase of a screen and sound system to allow for "Drive In" movies throughout the fall and winter. Anticipated costs are approximately \$600.00 for an inflatable screen. A motion was made by Supervisor DiSabella, seconded by Chairman Weaver, to approve the request from the Recreation Committee as presented.

The next scheduled meeting will be held on Wednesday, August 18, 2021 at 7:00 p.m.

Tomhicken Playground Association: A meeting of the Tomhicken Playground Committee was held on July 21, 2021. The minutes were received. It was noted that Seitz Brothers sprayed the playground equipment and grounds as requested by the committee in their June Meeting. Cameras have been received and are in the process of being installed. The minutes from the July 21, 2021 meeting were placed on the front table for review. The next meeting will be held on Wednesday August 18, 2021 at 7:00 p.m.

Planning Commission: The regular meeting of the Planning Commission was held on Tuesday, August 2, 2021 at 7:00 p.m. The minutes were not yet received. The next scheduled meeting will be held on Tuesday, September 7, 2021 at 7:00 p.m.

Subdivision, Lot Consolidation and Land Development:

Charles J. Mason Subdivision: Plans were received on June 29, 2021. The plans were reviewed by Joseph Calabrese of RJD Engineering on June 30, 2021 and determined to be administratively complete. Received correspondence and Component 1 Sewage Facilities Planning Module on July 12, 2021 from Brior Environmental Services, Inc., which has been approved by Planning Commission and Zoning and was presented to the Supervisors for approval and signature. Received correspondence from Luzerne County Planning Commission with comments. Received correspondence from Luzern County Engineer with no comments. Received first review from Joe Calabrese of RJD Engineering on July 30, 2021 with comments. A motion was made by Chairman Weaver, seconded by Supervisor Yost to approve the Component 1 Sewage Facilities Planning Module as submitted. The motion passed unanimously and documentation was signed after the meeting.

Richard R. And Kathy A. Taylor – Final Plan - Minor Subdivision: Second Review has been received from the Zoning Officer with comments. Request for Planning Waiver and Non Building Declaration from Brior Environmental Services Inc. has been approved and signed by the Planning Commission. The Waiver and Non Building Declaration was presented to the Supervisors for approval. A motion to consider approval of Planning Waiver and Non Building Declaration for signature was needed. A motion was made by Chairman Weaver, seconded by Supervisor Yost, to approve Richard R and Kathy A. Taylor Minor Subdivision Planning Waiver and Non Building Declaration as submitted. The motion passed unanimously and documents were signed after the meeting.

The Planning Commission conditionally approved the subdivision along with the Wetlands Delineation Waiver Request conditional upon Bill Brior approval. Bill Brior has signified his comments have been addressed. The plans were submitted to the Supervisors for final approval conditional upon receipt of unfolded completed final signed plans. Once plans are received in this condition, supervisors will sign final plans. A motion was made by Supervisor Yost, seconded by Supervisor DiSabella to approve Richard R and Kathy A. Taylor Minor Subdivision Wetlands Delineation Waiver request and Final Plans as submitted to be signed once they are received. The motion passed unanimously.

The Order of Friars Minor of the Slavo-Byzantine Rite to Sugarloaf 93, LLC Rezone Request: A public hearing is being held on August 12, 2021 at 6:00 PM for public comment and Board of Supervisors consideration. Correspondence was received from Atty. Ferdinand indicating that Atty. Karpowich on behalf of Mr. Trella asked the supervisors for a rezoning with conditions, where if the use changes, the landowner loses the new rezoning and it reverts back to the existing zoning. Atty. Ferdinand inquired if Atty. Karpowich had any legal authority to attach conditions to a rezoning. Both acknowledged that a rezoning is a legislative act by the Township and that, as a result, conditions would be possibly unenforceable or void. Both attorneys agreed to review the matter.

Shuman Subdivision Final Plan, Minor/Reverse Subdivision: Plans were received on July 14, 2021. Plans were reviewed by Joe Brutosky of JTB Engineering and Surveying on July 15, 2021 and determined to be administratively complete. Correspondence with comments was received from Bill Brior of Brior Environmental Services on July 30, 2021. Received second review from Joe Brutosky of JTB Engineering and Surveying on August 2, 2021 with comments.

Old Business:

UGI Public Utility ROW Agreement – New Police Station Gas Line: Right of Way agreement and Permanent Easement/ Right of way Settlement Agreement has been received by the Township from UGI. This information has been reviewed by the Township Solicitor, who is requesting with the Supervisors' approval to contact UGI with regard to language in the agreement. The concern is that the grant allows UGI to extend a gas pipeline, lines or service laterals. It also appears to allow extension of building, fences and electrical lines. Atty. Ferdinand has also sent the agreement to Joe Brutosky for comments. There is concern that this is a very broad agreement with no consideration offered to the Township in reciprocation, such as a land lease. A motion was made by Supervisor DiSabella, seconded by Supervisor Yost, to approve to have Atty. Ferdinand contact UGI regarding revisions to the proposed agreements. The motion passed unanimously.

Old Berwick Road: A motion was needed to approve payment of Pay Application No.6 in the amount of \$52,415.79 out of the General Fund as Grant Funds for this phase of the project have been depleted. The balance to finish, after this payment is 1% retainage in the amount of \$13,103.95. A motion was made by Supervisor Yost, seconded by Chairman Weaver, to approve Payment of Application No.6 out of the General Fund. The motion passed unanimously.

New Business: The next scheduled meeting of the Supervisors will be held on Tuesday, September 14, 2021 at 7:00 PM.

Service Electric Semi-Annual Franchise Fee Payment:

Service Electric Semi-Annual Franchise fee payment in the amount of \$17,331.89 was received for the calendar period of January 1, 2021 – June 30, 2021.

Supervisor DiSabella inquired if perhaps some of the Logging funds could be used to help offset some of the costs of a new vehicle.

Correspondence received since the last meeting: Correspondence received since the last meeting was reviewed.

Public Comment:

Moria Dagostin inquired if the General Fund would be reimbursed for the \$107,000.00 allocated to the New Police Station Stairwell project as the Township was awarded the LSA Grant for \$200,000.00. Township Office Manager Elizabeth Tolan explained that even with the LSA Grant award, that due to rising costs of materials and labor, that it is quite possible there still will not be sufficient funds to complete all the work necessary to be done.

Tony Gardi mentioned that two of the new trees that were planted along OBR had died and needed to be replaced. He also mentioned that he is unable to mow the grass on the side of the road in front of his house and would like the Township's assistance. Chairman Weaver stated that the township could bring their equipment to mow the side of the road and that we would check regarding the trees.

Adjournment: With no further business to attend to, a motion was made by Chairman Weaver, seconded by Supervisor Yost, to adjourn the meeting at 7:45 P.M. The motion passed unanimously.

It was noted that all reports or correspondence mentioned during this meeting were available for review at the front table, copies to be provided, upon request, after the meeting.



Richard E. Yost
Secretary

REY/et

FINANCIAL STATEMENT

July 30, 2021

<u>GENERAL FUND</u>	\$	<u>920,329.78</u>
<u>STATE FUND</u>	\$	<u>173,845.82</u>
<u>MACHINERY FUND</u>	\$	<u>128,529.43</u>
<u>FIRE FUND</u>	\$	<u>3,972.93</u>
<u>PAYROLL FUND</u>	\$	<u>10,544.01</u>
<u>OAKHILL VILLAGE STREET LIGHT FUND</u>	\$	<u>6,635.82</u>
<u>DIPPLE MANOR STREET LIGHT FUND</u>	\$	<u>2,987.09</u>
<u>SUGARLOAF SEWER FUND</u>	\$	<u>508,703.45</u>
<u>PETTY CASH FUND</u>	\$	<u>24.86</u>
<u>LSA GRANT ACCOUNT – PHASE 1 OLD BERWICK ROAD</u>	\$	<u>6,025.33</u>
<u>LSA GRANT ACCOUNT – PHASE 111 OLD BERWICK ROAD</u>	\$	<u>45,047.08</u>
<u>MTF GRANT ACCOUNT – PHASE 111 OLD BERWICK ROAD</u>	\$	<u>8,542.65</u>
<u>SUGARLOAF RECREATION BOARD</u>	\$	<u>10,587.51</u>
<u>TOMHICKEN PLAYGROUND ASSOC</u>	\$	<u>2,672.85</u>

Richard E. Yarb

8/10/2021